

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY  
MINUTES OF PROCEEDINGS**

**OFFICE: TRENTON**  
**MAGISTRATE JUDGE: Bongiovanni**  
**Digitally Recorded: John Moller**

**January 26, 2023**  
**DATE OF PROCEEDINGS**

**TITLE OF CASE:** **23-MJ-3018 (TJB)**  
USDC for the Northern District of Ohio 1:22-mj-4385

UNITED STATES OF AMERICA,  
V.  
DAVID JAMES SMITH

**APPEARANCES:**

Eric Boden, AUSA for Government  
Adam Axel, AFPD for Defendant  
Michele Roman, Pretrial Services Officer

**NATURE OF PROCEEDING:** Rule 5 Initial Appearance via Video Conference

All parties consent to a Rule 5 Initial Appearance by video conference.  
Defendant advised of his rights, charges and penalties.  
Hearing on application by defendant for appointment of counsel.  
Ordered application granted.  
Ordered Adam Axel, AFPD appointed as counsel.  
Financial affidavit executed and filed.  
Rule 5 Initial appearance held.  
Waiver of Rule 5 & 5.1. hearing executed.  
Defendant advised of Rule 20 rights.  
Hearing on application by defendant for release.  
Ordered application denied.  
Ordered defendant remanded to the custody of the US Marshals.  
Detention Order to be entered.

TIME COMMENCED: 3:39 p.m.  
TIME ADJOURNED: 3:51 p.m.  
TOTAL TIME: 12 MINUTES

s/ John Moller  
Deputy Clerk